

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-VS-

DECISION and ORDER

15-MJ-4128

CHAD WILLIAMS,

Defendant.

Siragusa, J. On August 10, 2015, defendant Chad Williams ("Williams") was arrested and charged in a Criminal Complaint with possession and concealment of counterfeit currency, in violation of 18 U.S.C. § 472, ECF No. 1. By order entered June 28, 2016, Magistrate Judge Marion W. Payson ordered that Williams be examined by Dr. R.P. Singh ("Singh"), M.D., M.B.B.S., in Rochester, New York, to determine whether he was suffering from a mental disease or defect rendering him unable to understand the nature and consequences of the proceedings against him and to assist properly in his defense, ECF No. 28. Subsequently, Magistrate Judge Payson conducted a hearing to determine whether defendant was competent to stand trial. On August 11, 2016, Magistrate Judge Payson filed a Report and Recommendation ("R&R"), ECF No. 34, recommending that the Court determine that the defendant is not competent to stand trial and further recommended, pursuant to 18 U.S.C. § 4241(d)(1), that the district court commit Williams to the custody of the Attorney General for treatment, in a suitable facility for a reasonable period not to exceed four months, to determine whether there is a substantial probability that Williams would be able to attain the capacity to stand trial. Both the Government and

Avik Ganguly, Esq., counsel for Williams, have indicated that they have no objections to Magistrate Judge Payson's R&R (see letters attached).

Accordingly, for the reasons set forth in the Magistrate Judge Payson's R&R, the Court finds that the defendant is not competent to stand trial and orders that the defendant be committed to the custody of the Attorney General for a reasonable period, not to exceed four months, to determine "whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit the proceedings to go forward." 18 U.S.C. § 4241(d)(1).

IT IS SO ORDERED.

Dated: Rochester, New York
August 12, 2016

ENTER:

/s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge

Ganguly BROTHERS PLLC

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April 11, 2016

Via Facsimile

585-613-4055

Hon. Charles J. Siragusa
U.S. District Court Judge
233 U.S. Courthouse
100 State Street
Rochester, NY 14614

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AUG 11 2016

CHARLES J. SIRAGUSA
United States District Judge
Western District of New York

RE: USA v. Chad Williams 6:15-mj-04128-MWP

Dear Judge Siragusa:

I have carefully reviewed the report from Dr. Singh and the Report and Recommendations filed by Judge Payson dated August 11, 2016, concerning Chad Williams lack of competency. I do not have any objections to the Report and Recommendations being adopted by the District Court and for an Order consistent with the Report and Recommendations to be issued.

Please contact me with any concerns.

Best Regards,



Avik K. Ganguly

cc: Craig Gestring, Esq.
Assistant United States Attorney



U.S. Department of Justice

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Western District of New York*

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August 11, 2016

Hon. Charles J. Siragusa
U.S. District Judge
100 State Street
Rochester, N.Y. 14614

Re: United States v. Chad Williams
11-CR-6098

Dear Judge Siragusa:

Magistrate Payson will be issuing her Report and Recommendations later today on the above-referenced defendant. The government has no objection to the report.

Respectfully submitted,

WILLIAM J. HOCHUL, JR.
United States Attorney

By: CRAIG R. GESTRING
Assistant U.S. Attorney

CRG/lmy
cc: Avik K. Ganguly, Esq.